

## State Water Resources Control Board

Division of Drinking Water

December 13, 2018

System No. 3210006  
Certified Mail  
7017 0190 0000 6412 7904

Troy Henry, General Manager  
Lake Almanor Country Club MWC  
501 Peninsula Drive  
Lake Almanor, CA 96137

### TRANSMITTAL OF CITATION NO. 01-02-18C-017

The State Water Resources Control Board (Board) Division of Drinking Water has issued the Lake Almanor Country Club Mutual Water Company water system a citation, which is attached.

Any person who is aggrieved by an order or decision issued by the deputy director of the Division of Drinking Water under Article 8 (commencing with Health and Safety Code Section 116625) or Article 9 (commencing with Health and Safety Code Section 116650), of the Safe Drinking Water Act (Chapter 4, Part 12, Division 104, of the Health and Safety Code) may file a petition with the State Board for reconsideration of the order or decision. The enclosed citation contains the relevant statutory provisions for filing a petition for reconsideration (Health and Safety Code Section 116701).

Petitions must be received by the State Board within 30 days of the issuance of the order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. Information regarding filing petitions may be found at: [http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

If you have any questions, please contact Michael Burgess at (530) 224-6506 or me at (530) 224-4800.



Stephen W. Watson, P.E.  
Lassen District Engineer  
Drinking Water Field Operations Branch

Enclosure

cc: Richard L. Hinrichs, Chief, DDW-Northern California Section  
Plumas County Department of Environmental Health

3210006/Enforcement  
Oct 2018 Cit Ltr/mtb

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STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**TO:** Lake Almanor Country Club MWC  
501 Peninsula Dr  
Lake Almanor, CA 96137

**Attn:** Troy Henry, General Manager

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,  
TITLE 22, SECTION 64426.1 - WATER SYSTEM NO. 3210006  
CITATION NO. 01-02-18C-017  
Issued on DECEMBER 13, 2018**

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board (hereinafter "State Board"), acting by and through its Division of Drinking Water (hereinafter, "Division") and the Deputy Director for the Division (hereinafter, "Deputy Director"), hereby issues a citation to the Lake Almanor Country Club

1 Mutual Water Company (hereinafter, "Company"), located on the Lake Almanor Peninsula, for  
2 violation of California Code of Regulations (CCR), Title 22, Section 64426.1(b)(2).

3  
4 **APPLICABLE AUTHORITIES**

5 **Section 116650 of California Health and Safety Code provides:**

6 (a) If the State Board determines that a public water system is in violation of this  
7 chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the  
8 State Board may issue a citation to the public water system. The citation shall be served upon  
9 the public water system personally or by certified mail. Service shall be deemed effective as of  
10 the date of personal service or the date of receipt of the certified mail. If a person to whom a  
11 citation is directed refuses to accept delivery of the certified mail, the date of service shall be  
12 deemed to be the date of mailing.

13 (b) Each citation shall be in writing and shall describe the nature of the violation  
14 or violations, including a reference to the statutory provision, standard, order, citation, permit,  
15 or regulation alleged to have been violated.

16 (c) A citation may specify a date for elimination or correction of the condition  
17 constituting the violation.

18 (d) A citation may include the assessment of a penalty as specified in subdivision  
19 (e).

20 (e) The State Board may assess a penalty in an amount not to exceed one  
21 thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that  
22 a violation continues to occur. A separate penalty may be assessed for each violation.

23  
24 **California Code of Regulations, Title 22, Section 64426, subsections (a) and (b),**  
25 **provides in relevant part:**

1 (a) Any of the following criteria shall indicate a possible rise in bacterial count:

- 2 (1) A system collecting at least 40 samples per month has a total coliform-  
3 positive routine sample followed by two total coliform-positive repeat  
4 samples in the repeat sample set;  
5 (2) A system has a sample which is positive for fecal coliform or *E. coli*, or  
6 (3) A system fails the total coliform Maximum Contaminant Level (MCL) as  
7 defined in Section 64426.1.

8 (b) When the coliform levels specified in subsection (a) are reached or exceeded, the  
9 water supplier shall:

- 10 (1) Contact the Division by the end of the day on which the system is notified  
11 of the test result or the system determines that it has exceeded the MCL,  
12 unless the notification or determination occurs after the Division office is  
13 closed, in which case the supplier shall notify the Division within 24 hours;  
14 and  
15 (2) Submit to the Division information on the current status of the physical  
16 works and operating procedures which may have caused the elevated  
17 bacteriological findings, or any information on community illness suspected  
18 of being waterborne. This shall include, but not limited to:  
19 a. Current operating procedures that are or could potentially be related  
20 to the increase in bacterial count;  
21 b. Any interruptions in the treatment process;  
22 c. System pressure loss to less than 5 psi;  
23 d. Vandalism and/or unauthorized access to facilities;  
24 e. Physical evidence indicating bacteriological contamination of  
25 facilities;



- f. Analytical results of any additional samples collected, including source samples;
- g. Community illness suspected of being waterborne; and
- h. Records of the investigation and any action taken.

**California Code of Regulations, Title 22, Section 64426.1, subsection (b) provides, in relevant part:**

(b) A public water system is in violation of the total coliform MCL [maximum contaminant level] when any of the following occurs:

- (2) For a public water system which collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive;

**Section 116701 of California Health and Safety Code provides:**

(a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.

(b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board

1 may prescribe. The petition shall be accompanied by a statement of points and  
2 authorities of the legal issues raised by the petition.

3 (c) The evidence before the state board shall consist of the record before the deputy  
4 director and any other relevant evidence that, in the judgment of the state board,  
5 should be considered to implement the policies of this chapter. The state board may,  
6 in its discretion, hold a hearing for receipt of additional evidence.

7 (d) The state board may refuse to reconsider the order or decision if the petition fails  
8 to raise substantial issues that are appropriate for review, may deny the petition upon  
9 a determination that the issuance of the order or decision was appropriate and proper,  
10 may set aside or modify the order or decision, or take other appropriate action. The  
11 state board's action pursuant to this subdivision shall constitute the state board's  
12 completion of its reconsideration.

13 (e) The state board, upon notice and hearing, if a hearing is held, may stay in whole  
14 or in part the effect of the order or decision of the deputy director.

15 (f) If an order of the deputy director is subject to reconsideration under this  
16 section, the filing of a petition for reconsideration is an administrative remedy  
17 that must be exhausted before filing a petition for writ of mandate under  
18 Section 116625 or 116700.

### 19 20 **STATEMENT OF FACTS**

21 The Lake Almanor Country Club Mutual Water Company operates a community water system  
22 serving a population of about 850 year-round residents on the Lake Almanor Peninsula. The  
23 water system is currently served by four wells and three storage tanks with a total storage  
24 capacity of 1.1 million gallons. No treatment is provided.

1 On October 17, 2018, the Company collected two routine bacteriological samples from the  
2 distribution system for analysis at Fruit Growers Lab. On October 18, 2018, the lab notified the  
3 Company and the Division that the routine sample collected from 1306 Peninsula Drive tested  
4 positive for total coliform bacteria. Three repeat samples were collected from the distribution  
5 system on October 19, 2018, along with two source water samples, one from Well 01 and one  
6 from the Well 02, Well 03, and Well 04 common header. Both of the well samples were absent  
7 of total coliform bacteria. However, the distribution system sample collected from 1282  
8 Peninsula Drive tested positive for total coliform with a most probable number (MPN) of 5.3  
9 total coliform per 100 ml. The repeat sample collected from the original routine site and the  
10 downstream site both tested absent for total coliform bacteria. All of the routine and repeat  
11 samples tested absent for E. coli.

12  
13 The Company flushed the distribution system on October 20 and 21, 2018, and collected four  
14 additional samples on October 22, 2018, all of which tested absent for total coliform bacteria.  
15 The Company submitted a completed Level 1 Assessment Report Form on October 24, 2018.  
16 Based on their investigation of the distribution system and sources, they believe that the most  
17 likely cause of the total coliform bacteriological samples was inadequate flushing of Well 02  
18 before bringing it back into service following three weeks of non-use.

#### 20 DETERMINATION

21 Based on the above Statement of Facts, the Division has determined that the Lake Almanor  
22 Country Club Mutual Water Company violated Section 64426.1(b)(2), Title 22 of the CCR.  
23 Specifically, the Company exceeded the total coliform MCL during the month of October 2018.

**DIRECTIVES**

Lake Almanor Country Club Mutual Water Company is hereby directed to take the following actions:

1. Comply with Sections 64426 and 64426.1, Title 22, of the CCR in all future monitoring periods.

2. **By no later than January 15, 2019**, notify all persons served by the Company of the MCL violation as required by Section 64463.4 and Section 64465, Title 22, of the CCR. Notification shall be completed in accordance with each of the following:

a) Provide the notice contained in Attachment "A" by mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system, and

b) Provide the notice contained in Attachment "A" by publication in a local newspaper to reach persons not likely to be reached by a mailing or direct delivery.

Changes and/or modifications to Attachment 'A' shall not be made unless approved by the Division.

3. Complete and return Attachment 'B' entitled "Certification of Completion of Public Notification" by **January 25, 2019**. A copy of the notification that was provided to users due to the total coliform MCL exceedance in October 2018 shall be included with the form.



1 All documents required by this Citation shall be submitted to the Division to the following address:

2  
3 Stephen W. Watson, P. E.  
4 Lassen District Engineer  
5 Division of Drinking Water  
6 364 Knollcrest Drive, Suite 101  
7 Redding, CA 96002  
8

9 As used in this Citation, the date of issuance shall be the date of this Citation; and the date of  
10 service shall be the date of service of this Citation, personal or by certified mail, on the water  
11 system.

12  
13 Nothing in this Citation relieves the Company of its obligation to meet the requirements of Health  
14 and Safety Code, Division 104, Part 12, Chapter 4 (California Safe Drinking Water Act), or any  
15 regulation, permit, standard or order issued or adopted thereunder.

16  
17 The Division reserves the right to make such modifications to this Citation, as it may deem  
18 necessary to protect public health and safety. Such modifications may be issued as  
19 amendments to this Citation and shall be effective upon issuance.  
20

21 **PARTIES BOUND**

22 This Citation shall apply to and be binding upon Lake Almanor Country Club Mutual Water  
23 Company, its officers, directors, shareholders, agents, employees, contractors, successors,  
24 and assignees.

25 **SEVERABILITY**

26 The Directives of this Citation are severable, and the Company shall comply with each and  
27 every provision thereof, notwithstanding the effectiveness of any other provision.

**FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the State Board to: issue a citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Board to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the State Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Board. The State Board does not waive any further enforcement action by issuance of this citation.

12/13/2018

Date

Stephen W. Watson

Stephen W. Watson, P.E.  
Lassen District Engineer  
Division of Drinking Water  
State Water Resources Control Board



Attachments:

'A' Public Notice

'B' Compliance Certification Form

Certified Mail 7017 0190 0000 6412 7904

## IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

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### Bacteriological Requirements not met for Lake Almanor Country Club MWC Water System

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Our water system recently violated a drinking water standard. Although this incident was not an emergency, as our customers you have a right to know what happened and what we did to correct the situation.

We routinely monitor for drinking water contaminants. During October 2018 we collected 13 samples to test for the presence of coliform bacteria. Two of the samples showed the presence of total coliform bacteria. The standard is that no more than one sample per month may show the presence of total coliform bacteria.

#### What Should You Do?

**You do not need to boil your water or take other corrective actions.**

This is not an emergency. If it had been, you would have been notified immediately. Total coliform bacteria are generally not harmful themselves. Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning or potential problems.

Usually, coliforms are a sign that there could be a problem with the system's treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as *E. coli*, are present. We did not find any of these bacteria in our subsequent testing, and further testing shows that this problem has been resolved.

People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from U.S. EPA's Safe Drinking Water Hotline at 1 (800) 426-4791. **If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.**

#### What Happened? What Was Done?

When a routine bacteriological sample collected from our distribution system is found to contain total coliform bacteria, we are required to collect additional samples from the distribution system during the month in order to determine if there is a contamination problem in the water system.

One of the two routine bacteriological samples collected on October 17, 2018, tested positive for total coliform bacteria. On October 18, 2018, our lab notified the Company and the California State Water Quality Control Board, Division of Drinking Water. On October 19, 2018, Lake Almanor Country Club collected the required repeat samples. One of the five repeat samples also tested positive for total coliform bacteria. The Company flushed the water system on October 20 and 21, 2018, and collected four additional samples on October 22, 2018, all of which tested absent for total coliform bacteria. Lake Almanor Country Club Mutual Water Company operators investigated the water system for possible sources of contamination and none were found. Once again, no *E. coli* was detected in any of the samples collected from the Lake Almanor Country Club Mutual Water Company water system during the month of October 2018.

For more information please contact:

Troy Henry, General Manager,  
Lake Almanor CC MWC, at (530) 259-2161.

***Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.***

***Secondary Notification Requirements - Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:***

- ***SCHOOLS: Must notify school employees, students, and parents (if the students are minors).***
- ***RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.***
- ***BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.***

**This notice is being sent to you by the Lake Almanor CC MWC.**

**State Water System ID#: 3210006**

Date distributed: \_\_\_\_\_

**COMPLIANCE CERTIFICATION**

Citation Number: **01-02-18C-017**

Name of Water System: **Lake Almanor Country Club Mutual Water Company**

System Number: **3210006**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the bacteriological violation which occurred during October 2018. In addition, I certify that Lake Almanor Country Club Mutual Water Company has complied with the directives of this citation as indicated below:

<u>Required Action</u>	<u>Date Completed</u>
Public notification via direct delivery, as required by Directive 2a.	_____
Public notification via publication in a local newspaper, as required by Directive 2b.	_____
_____ Signature of Water System Representative	_____ Date

**Attach a copy of the notice published in the newspaper and sent by direct mail to the water system customers.**

<b>THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION NO LATER THAN January 25, 2019.</b>
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**Disclosure:** Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.